



8098

DLA PIPER RUDNICK GRAY CARY U.S. LLP
1200 NINETEENTH STREET, NW
WASHINGTON, DC 20036-2412
TELEPHONE: 202-861-3900
FACSIMILE: 202-223-2085

DOCKET NO.: 7732-020-27 DIV

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/665,077
Applicant(s): Michael CLIMO, et al.
Filing Date: September 19, 2000
For: COMPOSITIONS AND METHODS FOR TREATMENT OF
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING
FORMATION OF ANTIBIOTIC-RESISTANT STRAINS
Group Art Unit: 1631
Examiner: Michael L. Borin

SIR:

Attached hereto for filing are the following papers:

Response to Restriction Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

A handwritten signature in black ink, appearing to read "SBK".

Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Christopher W. Raimund
Registration No.: 47,258

DOCKET NO. 7732-020-27 DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Michael CLIMO, et al.

ART UNIT: 1631

SERIAL NO.: 09/665,077

EXAMINER: Michael L. Borin

FILING DATE: September 19, 2000

FOR: COMPOSITIONS AND METHODS FOR TREATMENT OF
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION
OF ANTIBIOTIC-RESISTANT STRAINS

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Restriction Requirement dated April 13, 2005, Applicants elect, albeit with traverse, Group I, Claims 3-5, 8-11, 25-27, and 29-34. In response to the election of species requirement, the applicants elect the species "a penicillin".